

REMARKS

This is in full and timely response to the above-identified Office Action. The above listing of the claims replaces all prior versions, and listings, of claims in the application. Reexamination and reconsideration in light of the proposed amendments and the following remarks are respectfully requested.

Allowed Subject Matter

The allowance of claim 15 is noted with appreciation.

Claim Amendments

In this response, independent claims 1, 8, 9, 14, 16 and 18 are amended in a manner which clarifies the subject matter sought to be patented. None of the amendments introduces any matter that was not implicitly, explicitly or intrinsically disclosed in the originally filed specification, claims and drawings.

New claims are presented for examination. These claims find full support in the originally filed specification and claims and set forth aspects of the invention which are both novel and non-obvious over the art of record. The newly presented claims have been drafted to emphasize the change in the power of the reader signal which is induced by the identifier signal generated by tag.

- 1) The rejection of claims 1, 3, 7-8 and 16-17 under 35 USC § 102(e) as being anticipated by Poliak et al. is respectfully traversed.

Poliak et al. teaches an arrangement wherein, until the transmitter-receiver module (tag) is sufficiently close to the beacon transmitter, the tag is not energized into an active mode. While there is disclosure of the tag being responsive to the signal transmitted by the beacon in a manner which induces the issuance of a reply, there is no disclosure of the reply being used to trigger a boost in the power level of the signal which issued by the beacon transmitter. In other words, in Poliak et al. the tag must be close enough to the beacon to allow the signal threshold to be exceeded. Varying the level of the beacon signal is neither disclosed nor suggested.

Indeed, the Poliak et al. arrangement is directed to tag arrangements which have on-board power sources and to conserving power consumption and prolonging the life of the on board power sources – see paragraphs [0006] –[0010] of Poliak et al.

It is submitted that the Poliak et al. does not anticipate the subject matter of claim 1 as amended.

- 2) The rejection of claims 9-14 and 18 under 35 USC § 102(b) as being anticipated by Turner et al., is respectfully traversed.

While Turner et al. disclose raising and lowering the power of the signal issued by the interrogator antenna, column 14, lines 58 to 60, discloses that the switching between the high and low levels is carried out in accordance with a predetermined schedule (timing) and is not at all responsive to the transmission of an identifier signal from the labels (tags), the positions of which are tracked by this arrangement.

Turner et al. do not discuss their precise area of application in detail. However, it is apparent from the choices made that it is the tracking of objects which is the object of the arrangement. Turner et al. balance a number of factors (see column 4, line 44 to column 5, line 4) to enable repeated sampling of a tag over time by providing high power pulses (to which the tag can power up and respond). The passage addressed in this rejection indicates that the time between high power pulses can be reduced when it is determined that the tag is moving rapidly - an issue only relevant in object tracking applications.

In summary, nothing in the Turner et al. reference teaches any change in tag operation, and while a change in interrogator (reader) behavior is taught, this is not such as to move from a low-power "search" mode to a high-power "read" mode, but simply to sample more frequently - a completely different approach to that of the claimed subject matter.

The Turner et al. reference, therefore, does not anticipate the claims 9-14 and 18.

Conclusion

It is respectfully submitted that claims that stand before are all allowable over the art or record for at least the reasons advanced above.

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